

ENTERED

June 04, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

VS.

ARTURO APAC

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CRIM. ACTION NO. 2:10-CR-20-1

ORDER

Pending is Defendant Arturo Apac's Emergency Motion to Reduce Sentence pursuant to 18 U.S.C. § 3582 and COVID-19 Threat. (D.E. 353). Defendant asks for (1) compassionate release because of his medical issues in light of the COVID-19 pandemic and (2) release because he was approved approximately seven weeks ago by the Bureau of Prisons ("BOP") for home confinement under the CARES Act, Pub. L. No. 116-136, 134 Stat. 281 (2020). (D.E. 353, p. 1-2).

After receiving Defendant's motion, the Court verified with BOP that Defendant has been approved for a transition to home confinement. BOP confirmed that Defendant is set to be transitioned to community furlough, specifically home confinement, on June 24, 2020. Because Defendant's court-imposed sentence has been modified by the BOP under its institutional authority, the Court sees that no further Court action is required. *See* Memorandum from Attorney Gen. for Dir., Bureau of Prisons, *Prioritization of Home Confinement As Appropriate in Response to COVID-19 Pandemic* (March 26, 2020), <https://www.justice.gov/file/1262731/download>; Memorandum from Attorney Gen. for Dir., Bureau of Prisons, *Increasing Use of Home Confinement at Institutions Most Affected*

by *COVID-19* 1 (Apr. 3, 2020), <https://www.justice.gov/file/1266661/download>.

Consequently, the Court **DENIES as moot** Defendant's motion. (D.E. 353).

SIGNED and ORDERED this 4th day of June 2020



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE